

## MINUTES

**CITY OF CEDAR PARK  
REGULAR SCHEDULED CITY COUNCIL MEETING  
CEDAR PARK CITY HALL - COUNCIL CHAMBERS  
450 CYPRESS CREEK BOULEVARD, BUILDING FOUR  
THURSDAY, AUGUST 9, 2012 AT 6:30 P.M.**

Mayor Matt Powell  
Stephen Thomas, Council Place One  
Mitch Fuller, Council Place Two  
Scott Mitchell, Council Place Three

Mayor Pro Tem Tony Dale  
Lowell Moore, Council Place Four  
Don Tracy, Council Place Six  
Brenda Eivens, City Manager

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**A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.**

**Mayor Powell called the meeting to order at 6:30 p.m.**

**All Council present.**

**A.2 Invocation. (Mayor)**

**Invocation given by Mayor Powell.**

**A.3 Pledges of Allegiance. (U.S. and Texas)**

**Council led the audience in the Pledges of Allegiance.**

**A.4 Citizens Communications. (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Council. Council May Respond With Factual Information)**

**None.**

**A.5 Mayor and Council Opening Comments.**

**Mayor Powell commented on National Night Out and the Chamber of Commerce Luncheon where he presented the State of the City Address.**

**Councilmember Fuller commented on National Night Out and various events he attended. The Comprehensive Plan update is still underway and firms have been interviewed. He inquired about brush clearing concerns in the Deer Creek area. Future agenda items for appointment to Place Two on the Planning and Zoning Commission and adoption of the Texas Army National Guard Headquarters 136<sup>th</sup> Maneuver Enhancement Brigade were requested for the next meeting.**

**Councilmember Mitchell provided a brief update from the CAPCOG meeting he attended.**

**Mayor Pro Tem Dale commented on National Night Out and requested a future agenda item regarding the Jollyville Salamander for the next meeting. He congratulated Mayor Powell for his State of the City address.**

**Councilmember Tracy commented on the Town Hall meeting held on transportation. Agenda F.3 called after Mayor and Council Opening Comments.**

- A.6 City Manager Report: Recognition Of The Distinguished Budget Presentation Award Received By The Government Finance Officers Association.  
**Josh Selleck, Assistant City Manager, informed Council the City has received Recognition Of The Distinguished Budget Presentation Award from the Government Finance Officers Association for the FY11 budget. He commended Aaron Rector, Budget Manager, and Joseph Gonzales, Interim Finance Director, for their work on the budget.**
- A.7 City Manager Report: Employee Recognition For Accomplishments In The Texas Lifeguard Competition - Curt Randa, Parks And Recreation Director.  
**Curt Randa, Parks/Recreation Director, and Brian Reno, Aquatics Manager, introduced the Cedar Park Life Guard Team. The team competed in the Games of Texas hosted by the Texas Amateur Athletic Federation (TAAF) and recently placed fifth in the State.**
- A.8 City Manager Report: Update On The Cedar Bark Park Maintenance Program - Curt Randa, Parks And Recreation Director.  
**Curt Randa, Parks/Recreation Director, updated Council on the Bark Park operations and maintenance. The Park will be closing for ½ day to allow for maintenance and upkeep of the area.**
- A.9 City Manager Report: Update On Municipal Court Collections Process - April Christiansen, Court Administrator.  
**April Christiansen, Court Administrator, provided Council with an update on Court Collections. The City is using an outside vendor to assist with delinquent collections and the Court has seen an increase of 29% for monies collected.**

#### **CONSENT AGENDA**

*Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of all matters set forth on Agenda Items B, C, and D.*

***Motion to approve all items in the Consent Agenda consisting of Agenda Items B, C and D.***

**Movant: Councilmember Fuller**

**Second: Councilmember Tracy**

**Vote: 7:0**

- B.1 Receipt Of Minutes From The Planning And Zoning Commission Meeting Of June 19, 2012.  
**Received under the Consent Agenda.**
- C.1 (Z-12-006) Second Reading And Approval Of An Ordinance To Rezone Approximately 2.92 Acres From Local Retail (LR) To General Office (GO) For Property Located On South Lakeline Boulevard Just North Of The Intersection Of Old Mill And Lakeline Boulevard. **The Planning And Zoning Commission Voted 6-0 To Approve The Request.**



**Approved under the Consent Agenda**  
**Ordinance Number Z60.12.08.09.C1**

- C.2 (Z-12-007) Second Reading And Approval Of An Ordinance To Rezone Approximately 3.63 Acres From General Retail (GR) To General Office (GO) For Property Located On The South Side Of East Whitestone Boulevard Just East Of Discovery Boulevard. **The Planning And Zoning Commission Voted 6-0 To Approve The Request.**

**Ordinance Number Z61.12.08.09.C2**

- D.1 A Resolution For City Acceptance Of Cedar Park Town Center Section X Subdivision Improvements.

**Approved under the Consent Agenda**

**Resolution Number R159.12.08.09.D1**

- D.2 A Resolution Awarding A Construction Bid For The Old 183 Waterline Improvements And 2012 Street Rehabilitation To Aaron Concrete Contractors, LP For \$396,698.50.

**Approved under the Consent Agenda**

**Resolution Number R160.12.08.09.D2**

- D.3 A Resolution Authorizing And Directing The City Manager To Negotiate And Execute A Professional Services Agreement With Fugro Consultants Inc. For Construction Materials Testing On The Cottonwood Creek Trail And New Hope Drive Improvement Project.

**Approved under the Consent Agenda**

**Resolution Number R161.12.08.09.D3**

- D.4 A Resolution Authorizing And Directing The City Manager To Execute Change Order #1 With S&G Contracting, Inc. Under The Fire Station #2 Renovation Project In The Amount Of \$36,094.30

**Approved under the Consent Agenda**

**Resolution Number R162.12.08.09.D4**

- D.5 A Resolution Authorizing And Directing The City Manager To Execute An Amended Interlocal Agreement With The Williamson County Municipal Purchasing Alliance Consisting Of The Cities Of Cedar Park, Round Rock, Leander, Georgetown, Hutto, And Taylor Adding The City Of Pflugerville And Other Eligible Governmental Entities.

**Approved under the Consent Agenda**

**Resolution Number R163.12.08.09.D5**

- D.6 A Resolution Approving The Selection Of Belt Harris Pechacek, LLLP As The City's Audit Firm For Fiscal Year 2012, With The Option Of Auditing The Financial Statements For Four Subsequent Years.

**Approved under the Consent Agenda**

**Resolution Number R164.12.08.09.D6**

- D.7 A Resolution Authorizing Exchange Of Utility Easement For Dedication Rights For Utility Lot Located At 3106 Welton Cliff In Twin Creeks Country Club Section 6C.

**Approved under the Consent Agenda**

**Resolution Number R165.08.09.12.D7**

- D.8 Authorization To Excuse The Absence Of Councilmember Moore From The Regular Scheduled Meeting Of July 26, 2012.

**Approved under the Consent Agenda**

**No Resolution Number assigned**

#### **PUBLIC HEARINGS**

- E.1 First Reading And Public Hearing Of An Ordinance To Amend Section 12.20.005 Cash Contribution In Lieu Of Land Dedication, Article 12.20 Parkland Dedication, Chapter 12 Of The Subdivision Regulation Ordinance Of The City Of Cedar Park Code Of Ordinances.

**Withdrawn from the Agenda by Staff.**

- E.2 Public Hearing And Consideration To Approve A Resolution Amending The Fiscal Year 2011-12 Operating Revenues By \$489,266 And Operating Expenditures By \$3,103,052 And Amending The Fiscal Year 2011-12 Capital Revenues By \$1,083,266 And Capital Expenditures By \$1,083,266.

**Josh Selleck, Assistant City Manager, addressed Council regarding the proposed amendments to the FY2012 budget. Mr. Selleck reviewed the increases to revenues and expenditures. The additional monies received from the WCID-1D annexation will be used to cover costs incurred related to the annexed area including debt payments, one-time purchases for maintenance and solid waste carts, and one-time improvements for public safety and the Library. The expenditures include fuel pumps at the Service Center, a circulation desk and improved security system at the Library, Municipal Court upgrade for the customer service area, and re-plastering of Buttercup Pool and ADA pool lifts.**

**Mayor Powell opened the Public Hearing.**

**No Public Comment.**

**Mayor Powell closed the Public Hearing.**

**General discussion:**

**Mayor Powell commented on the use of additional funds being used to purchase items that required only one-time expenditures. Additional funds become available when sales tax**



revenues come in higher than budgeted or forecasted. This shows the importance of shopping local and keeping the money in the community.

Mayor Pro Tem Dale stated he had visited with Williamson County to see the technology being utilized in their public safety sector. The proposed system appears to be robust, detailed, and easier to use. He commented on concerns with two new Chiefs coming on board and their input on a new system.

Councilmember Fuller commented on the items proposed for purchase being a core service or debt service for the City.

Mayor Powell commented on the sirens being moved to public parks and the distribution of funds.

Councilmember Thomas commented on one-time expenditures, fiscal responsibility and monitoring expenditures.

*Motion to approve the agenda item as presented by Staff.*

**Movant: Councilmember Fuller**

**Second: Councilmember Moore**

**Vote: 7:0**

**Resolution Number R166.12.08.09.E2**

### **REGULAR AGENDA (NON-CONSENT)**

**F.0 Discussion And Possible Action:**

**F.1 Discussion Of The Fiscal Year 2013 Proposed Budget.  
Agenda Items F.1 and F.2 called together.**

Josh Selleck, Assistant City Manager, addressed Council regarding the Fiscal Year 2013 proposed Budget. The budget presented at the work session has been amended to include one additional Animal Control Officer.

Brenda Eivens, City Manager, addressed the amendment and stated after further evaluation the addition of the position will provide additional support services, allow for additional hours to be added, and allow the Police Department to better allocate resources.

Josh Selleck, Assistant City Manager, continued his presentation of the proposed budget. Ms. Eivens reviewed the positions being added to the budget.

Councilmember Fuller inquired about the Building Inspections Plan Reviewer and Code Enforcement Officer.

Mayor Powell inquired about the Park Ranger position.

Councilmember Thomas asked if a multiplier was used to determine the amount or expense associated with personnel or if an exact cost amount was used.

Mr. Selleck continued review of the proposed budget. Fiscal Year 2013 is being proposed with no increase to the tax rate. Mr. Selleck reviewed the ad valorem rate, sales tax trends, maintenance of the current services, and workforce issues.

Mr. Selleck stated the adopted Fiscal Year 2012 rate was \$.493501, with a debt ratio of \$.231762 and a maintenance/operation rate of \$.261739. The proposed tax rate for Fiscal Year 2013 is \$.493501 with a debt ratio of \$.235037 and maintenance/operation rate of \$.258464. The proposed rate maintains the current tax rate.

The Effective Rate is \$0.485022 and the Rollback rate is \$0.506673.

Mr. Selleck briefly reviewed the Utility Fund, 4A & 4B Funds, Special Revenue Funds and Capital Improvement Projects.

*Motion to set a maximum tax rate of \$0.493501/100 of valuation with interest and sinking rate of \$0.235037 and maintenance and operation rate of \$0.258464 and to schedule public hearings on the tax rate for August 23, 2012 and September 6, 2012 and vote to adopt the tax rate on September 13, 2012.*

Movant: Mayor Powell

Second: Councilmember Fuller

Vote: 7:0

Councilmember Fuller commented on the past tax rates and how setting rates now impact future years.

Mayor Powell commented on surrounding cities and the City of Austin tax rate versus the City of Cedar Park.

F.2 Consideration Of Setting a Maximum Proposed Tax Rate for Tax Year 2012 And Fiscal Year 2012-2013 And Scheduling Two Public Hearings On The Tax Rate.  
Refer to Agenda Item F.1 for discussion and action taken.

F.3 Consideration To Approve A Resolution Adopting The 36th Engineer Brigade Through The Adopt A Unit Program. (Powell)

Agenda F.3 called after Agenda Item A.5 Mayor and Council Opening Comments.

Lt. Colonel Jason Smallfield addressed Council regarding the 36<sup>th</sup> Engineer Brigade.



Mayor Powell commented on the Adopt A Unit Program and the City's support of the program.

*Motion to approve a Resolution adopting the 36<sup>th</sup> Engineer Brigade.*

**Movant: Councilmember Fuller**

**Second: Councilmember Tracy**

**Vote: 7:0**

**Resolution Number R167.12.08.09.F3**

Mayor Powell read and presented a Proclamation to Lt. Colonel Jason Smallfield.

- F.4 Consideration Of Appointment To Place Four On The Tourism Advisory Board. (Moore)

*Motion to reappoint Wayne Brooks to Place Four on the Tourism Advisory Board.*

**Movant: Councilmember Moore**

**Second: Councilmember Mitchell**

**Vote: 7:0**

- F.5 Consideration Of Appointment To Place Four On The Cedar Park Community Development Board. (Moore)  
Agenda Item F.5 called after the Consent Agenda.

*Motion to reappoint John Allen to Place Four on the Cedar Park Community Development Corporation.*

**Movant: Councilmember Moore**

**Second: Councilmember Fuller**

**Vote: 7:0**

- F.6 Consideration Of A Community Transportation Network. (Tracy)  
Agenda Item F.6 called after Agenda Item F1/F2.

Councilmember Tracy addressed Council regarding the background of this project. Councilmember Tracy commented on the core values of the City which sets the frame work for everything the City does. The Strategic Map also contains an item regarding multi-modal transportation. A Town Hall meeting was conducted to further discuss and pursue exploring this area. Councilmember Tracy introduced Brian Boitmann. Mr. Boitmann will be presenting new ideas for a community transportation network in Cedar Park.

Brian Boitmann addressed Council regarding the Acts of Sharing program and the vision to develop a program to build a community transportation network. This network would connect no-choice riders to choices and choice riders to options. The community transportation network would operate under the same philosophy as the Acts of Sharing

Program. Mr. Boitmann described the proposed community master calendar to be utilized in implementing and providing information to all participants. He is seeking Council support of the transportation model and community foundation partnership. Funding will also be requested from the 4B Board and Tourism Advisory Board. Mr. Boitmann addressed the Town Hall meeting and input received from citizens in attendance. Mr. Boitmann reviewed the overall project plan and the next steps.

General discussion followed:

Councilmember Tracy stated this is an innovative approach. The next steps for Acts of Sharing would be to go out and collect data for the availability of ride sharing, and possible community partnerships. There will be development implementation costs and the group is seeking funding from the 4B Board and Tourism Board.

Councilmember Thomas inquired if this program had been implemented anywhere else. He commented on the Kiwanis having a similar support program. The community is currently doing this idea in some manner. There is value to conducting a study and he believes it is a good commercial enterprise project. Consideration should be given to the market and possibility of utilizing ad space as opposed to government funding the program.

Mr. Boitmann agreed the collection of data is beneficial to see what is there, what needs to be done and what can be implemented.

Mayor Powell inquired what the funding would be for used and if it would be just to implement the website. Mayor Powell asked if this program could be incorporated with Faith In Action Caregivers which currently provides local ride transportation in Cedar Park. Faith In Action receives a small funding amount from the City. Mayor Powell asked if Faith In Action was in attendance at the Town Hall meeting and also what the liability would be for the City.

Mayor Pro Tem Dale stated he did speak with people in attendance at the meeting. Five people thought this would be more advantageous for the elderly but did not see tax payer dollars going towards this. There did not appear to be public awareness of the Faith In Action Caregivers program. There needs to be a greater effort in getting the word out regarding available programs. Mayor Pro Tem Dale stated he does not believe this would benefit Tourism in any way as previously stated.

Councilmember Mitchell said the concept is good but he believes it needs to be done from private funding. He stated partnerships need to be developed at the first level and for everyone interested in the concept to meet and discuss action. He commented on the 4B funding.

Councilmember Fuller stated this is a concept developed by college entrepreneurs and commended them for their efforts. He stated this is the beginning of the conversation.



There is a need and a demand for public transportation. He supports the role of private-government partnerships.

Councilmember Mitchell stated a study conveying a real understanding of what the statistics mean, the actual demand, and the need for public transportation is very important.

Councilmember Moore stated Council has discussed public transportation in the City many times. There needs to be a larger vision for a citywide transportation system. This concept supports the one-on-one ridership, but doesn't solve the bigger problem with moving people thru the City in larger numbers. Any study conducted should include more information and go further than one-on-one riderships.

Mayor Powell stated the group should consider partnerships that would include local churches that may provide similar programs. Consideration for potential sponsors and possible grants should be researched. A budget of the costs associated with the creation of such a program is needed and a better understanding must be conveyed in a business model showing sustainability. This item was first presented as a community spirited volunteer project and not a public transportation system. Consideration should be given for the concept of a volunteer project.

Councilmember Tracy commented on the willingness and the desire of the community to serve.

#### EXECUTIVE SESSION

*In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The City Council may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":*

**Council convened into Executive Session at 8:52 p.m.**

#### G.0 Executive Session

#### G.1 Section 551.071 (1)(A) And (2) Consultation With Attorney Concerning Legal Matters Covered By The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas.

- a. Legal Issues Concerning Fire Protection Service Agreements With Williamson County Emergency Service Districts #11 And #12.
- b. Legal Issues Concerning Annexations Of Williamson-Travis County WCID-1F And 1G And Bella Vista Municipal Utility Districts.
- c. Legal Issues Concerning An Interlocal Agreement Providing For The Release Of Extra Territorial Jurisdiction By The City Of Austin.

#### G.2 Section 551.087 Deliberation Regarding Economic Development Negotiations

- a. Legal Issues Regarding An Economic Development Agreement For A Major Retail Development.

The Council Reconvenes into General Session.**OPEN MEETING**

*Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.*

- H.0 Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session

**Council reconvened from Executive Session into Open Meeting at 9:20 p.m.**

**No action taken on any item discussed in Executive Session.**

- H.1 Mayor And Council Closing Comments.

**Mayor Powell requested a future agenda item for the appointment of a CAPCOG representative.**

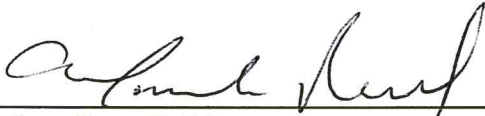
**Mayor Pro Tem Dale requested a future agenda item for the Interlocal Release of the ETJ related to the YMCA.**

**Councilmember Thomas requested a future agenda item for the appointment of Place One to the Tourism Advisory Board.**

- H.2 Adjournment.

**Mayor Powell adjourned the meeting at 9:21 p.m.**

**PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF SEPTEMBER, 2012.**



**Matthew Powell, Mayor**

**ATTEST:**



**LeAnn M. Quinn, TRMC  
City Secretary**

